

Amendment No. 1 to HB3967

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AMEND Senate Bill No. 3861*

House Bill No. 3967

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-86-102(b)(3), is amended by deleting the subdivision in its entirety, and by substituting instead the following new language:

(3) The general assembly further finds that rapid technological advancements have provided the public with non-wireline services, including but not limited to commercial mobile radio service (CMRS) and IP-enabled service, which are capable of connecting users dialing or entering the digits 911 to public safety answering points. The general assembly also finds that in various rules and orders, the federal communications commission has mandated wireless enhanced 911 service for all CMRS users and subscribers. The FCC also has addressed enhanced 911 service requirements for IP-enabled service. The general assembly recognizes that all subscribers and users of non-wireline services, including CMRS and IP-enabled service which are capable of connecting users dialing or entering the digits 911 to public safety answering points, should share in the benefits of 911 service and should participate in the funding of the service.

SECTION 2. Tennessee Code Annotated, Section 7-86-103, is amended by adding the following language as a new subdivision (9), and by redesignating the subsequent subdivisions accordingly:

(9) "IP-enabled services" means services and applications making use of Internet Protocol ("IP") including but not limited to voice over IP and other services and applications provided through wireline,

cable, wireless, and satellite facilities and any other facility that may be provided in the future through platforms that may not be deployable at present which are capable of connecting users dialing or entering the digits 911 to public safety answering points;

SECTION 3. Tennessee Code Annotated, Section 7-86-103, is further amended by adding the following language as a new subdivision (11), and by redesignating the subsequent subdivisions accordingly:

(11) "Non-wireline service" means any service provided by any person, corporation or entity, other than a service supplier as defined in this part, that connects a user dialing or entering the digits 911 to a public safety answering point including but not limited to commercial mobile radio service and IP-enabled services;

SECTION 4. Tennessee Code Annotated, Section 7-86-103, is further amended by deleting the last subdivision, currently designated (16) in its entirety, and by substituting instead the following appropriately designated subdivision:

(18) "Wireless enhanced 911 service" means service with location and number identification technology whereby users of non-wireline service, as that term is defined in this part, may contact a public safety answering point by entering or dialing the digits 911; such service includes but is not limited to, wireless enhanced 911 service as set forth in the federal communications commission order.

SECTION 5. Tennessee Code Annotated, Section 7-86-108(a)(1)(B), is amended by adding a new subdivision (vi), as follows:

(vi) Effective July 1, 2006, the provisions of this subdivision (a)(1)(B) shall apply to all subscribers and users of non-wireline service to the extent such application is not inconsistent with the orders, rules and regulations of the federal communications commission.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.